

**House File 136 - Introduced**

HOUSE FILE 136

BY WOLFE

**A BILL FOR**

1 An Act relating to the assessment of the law enforcement  
2 initiative surcharge.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 602.8108, subsection 5, Code 2013, is  
2 amended to read as follows:

3 5. a. The clerk of the district court shall remit all  
4 moneys collected from the assessment of the law enforcement  
5 initiative surcharge ~~provided in~~ under section 911.3,  
6 subsection 1, paragraphs "a" and "b", to the state court  
7 administrator no later than the fifteenth day of each month for  
8 deposit in the general fund of the state.

9 b. The clerk of the district court shall remit all moneys  
10 collected from the assessment of the law enforcement initiative  
11 surcharge under section 911.3, subsection 1, paragraphs  
12 "c" and "d", to the state court administrator no later than  
13 the fifteenth day of each month for deposit in the victim  
14 compensation fund established in section 915.94.

15 Sec. 2. Section 911.3, subsection 1, paragraph b, Code 2013,  
16 is amended to read as follows:

17 b. Section 719.7, 719.8, or ~~725.1, 725.2, or 725.3.~~

18 Sec. 3. Section 911.3, subsection 1, Code 2013, is amended  
19 by adding the following new paragraphs:

20 NEW PARAGRAPH. c. Section 725.2 or 725.3.

21 NEW PARAGRAPH. d. The Iowa criminal code that is classified  
22 as a sex offense under section 692A.102, except for the  
23 offenses listed in paragraph "c" of this subsection.

24 Sec. 4. Section 915.94, Code 2013, is amended to read as  
25 follows:

26 **915.94 Victim compensation fund.**

27 1. A victim compensation fund is established as a separate  
28 fund in the state treasury. Moneys deposited in the fund shall  
29 be administered by the department and dedicated to and used for  
30 the purposes of section 915.41 and this subchapter.

31 2. In addition, the department may use moneys from the fund  
32 for the purpose of the department's prosecutor-based victim  
33 service coordination, including the duties defined in sections  
34 910.3 and 910.6 and this chapter, and for the award of funds  
35 to programs that provide services and support to victims of

1 domestic abuse or sexual assault as provided in chapter 236,  
2 to victims under section 710A.2, and for the support of an  
3 automated victim notification system established in section  
4 915.10A.

5 3. Moneys deposited in the fund pursuant to section  
6 602.8108, subsection 5, paragraph "b", shall be segregated  
7 in the fund and used for victims of domestic abuse or sexual  
8 assault.

9 4. The department may also use up to one hundred thousand  
10 dollars from the fund to provide training for victim service  
11 providers.

12 5. Notwithstanding section 8.33, any balance in the fund on  
13 June 30 of any fiscal year shall not revert to the general fund  
14 of the state.

15 EXPLANATION

16 This bill relates to the assessment of the law enforcement  
17 initiative surcharge.

18 The bill expands the number of criminal offenses that can  
19 be assessed the \$125 law enforcement initiative surcharge.  
20 Under the bill, the law enforcement initiative surcharge shall  
21 be assessed in any case where an adjudication of guilt or a  
22 deferred judgment has been entered for a sex offense listed in  
23 Code section 692A.102.

24 The bill also bifurcates the use of the moneys collected from  
25 the assessment of the law enforcement initiative surcharge.  
26 Currently, all moneys collected from the law enforcement  
27 initiative surcharge are required to be deposited into the  
28 general fund of the state. The moneys collected from the  
29 assessment of the surcharge for sex offenses under the bill are  
30 required to be deposited into the victim compensation fund and  
31 be used for victims of domestic abuse or sexual assault.

32 The bill also specifies that the law enforcement initiative  
33 surcharge currently collected for a violation of Code section  
34 725.2 (pimping) or 725.3 (pandering) is to be deposited  
35 into the victim compensation fund and be used for victims of

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1 domestic abuse or sexual assault. Current law specifies the  
2 law enforcement initiative surcharge collected for a violation  
3 of Code sections 725.2 (pimping) and 725.3 (pandering) is to be  
4 deposited into the general fund of the state.